Horsham District Council

DELEGATED APPLICATIONS - ASSESSMENT SHEET

APPLICATION NO./ADDRESS:
DC/24/0796
The Old Dairy and The Granary, Crosby Farm, Lyons Road, Slinfold, Horsham, West Sussex, RH13 0RX

SITE LOCATION & DESCRIPTION:

The application site is positioned to the north or Lyons Road. The Old Dairy and The Granary were last in use as offices, in 2022. The site lies outside and adjacent to the built-up area boundary, and is therefore within the countryside in policy terms. The site is surrounded by open countryside, with the built surroundings of Slinfold positioned to the south and west of the site. A public footpath runs along the northern boundary of the site.

Permission is sought for the conversion of the existing office buildings (Use Class E) into two residential units (Use Class C3).

The proposal would retain the existing fenestration. Two rooflights have been added to the eastern (side) elevation of The Granary and the first floor windows on the south elevation have been obscure glazed. The site provides four car parking spaces (2 for each dwelling) and would be accesses from the existing road to the east. Private amenity space is proposed in the form of a rear garden (The Granary) and a courtyard (The Old Dairy).

RELEVANT PLANNING HISTORY:

DC/19/1330	Conversion of an existing vacant B1 office to single C3 residential dwelling	Application Refused on 27.08.2019
DC/22/2094	Prior Notification for Change of Use of 2no commercial buildings (Use Class E) to residential (Use Class C3) to form 2no. dwellings.	Prior Approval Required and REFUSED on 23.12.2022
DC/23/1421	Change of use of 2 no. existing E(g(i)) Office buildings, to 2 no. C3 dwellinghouses.	Application Returned

RELEVANT PLANNING POLICIES

The National Planning Policy Framework (NPPF)

Horsham District Planning Framework (2015):
Policy 1 - Strategic Policy: Sustainable Development
Policy 2 - Strategic Policy: Strategic Development
Policy 3 - Strategic Policy: Development Hierarchy Policy 4 - Strategic Policy: Settlement Expansion
Policy 7 - Strategic Policy: Economic Growth
Policy 9 - Employment Development
Policy 10 - Rural Economic Development
Policy 15 - Strategic Policy: Housing Provision
Policy 16 - Strategic Policy: Meeting Local Housing Needs

Policy 25 - Strategic Policy: The Natural Environment and Landscape Character
Policy 26 - Strategic Policy: Countryside Protection
Policy 32 - Strategic Policy: The Quality of New Development
Policy 33 - Development Principles
Policy 34 - Cultural and Heritage Assets
Policy 35 - Strategic Policy: Climate Change
Policy 36 - Strategic Policy: Appropriate Energy Use
Policy 37 - Sustainable Construction
Policy 41 - Parking

The Horsham District Local Plan 2023-2040
The Horsham District Local Plan 2023-2040 was submitted for examination on the 26th of July 2024. Paragraph 48 of the NPPF states that *"local planning authorities may give weight to relevant policies in emerging plans according to:*

a) *the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*

b) *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*

c) *the degree of consistency of the relevant policies in the emerging plan to this Framework [NPPF] (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)"*

Policies in this Plan do not carry full statutory weight but are gathering weight as the Plan proceeds through its stages. They provide an indication of the direction of future policy. Since the 26th of July 2024, when the Plan was agreed for submission to the Secretary of State, it has gained weight for the determination of planning applications. The relevant policies are:
Strategic Policy 1: Sustainable Development
Policy 2: Development Hierarchy
Strategic Policy 3: Settlement Expansion
Strategic Policy 6: Climate Change
Strategic Policy 7: Appropriate Energy Use
Strategic Policy 8: Sustainable Design and Construction
Strategic Policy 9: Water Neutrality
Strategic Policy 11: Environmental Protection
Strategic Policy 13: The Natural Environment and Landscape Character
Strategic Policy 14: Countryside Protection
Strategic Policy 15: Settlement Coalescence
Strategic Policy 17: Green Infrastructure and Biodiversity
Strategic Policy 19: Development Quality
Strategic Policy 20: Development Principles
Strategic Policy 23: Infrastructure Provision
Strategic Policy 24: Sustainable Transport
Policy 25: Parking
Policy 31 - Rural Economic Development
Strategic Policy 37: Housing Provision
Strategic Policy 38: Meeting Local Housing Needs
Policy 39: Affordable Housing
Policy 40: Improving Housing Standards in the District

Paragraph 33 of the NPPF requires that all development plans complete their reviews no later than 5 years from their adoption. Horsham District Council is currently in the process of reviewing its development plan however at this stage the emerging policies carry only limited weight in decision making. As the HDPF is now over 5 years old, the most important policies for the determination of this application must be considered as to whether they are 'out of date' (NPPF paragraph 11d). This includes, for applications involving the provision of housing, whether the Council can demonstrate a five year supply of deliverable housing sites (NPPF footnote 8).

The Council is currently unable to demonstrate a five year supply of deliverable housing sites, with the supply currently calculated as being 2.9 years. The presumption in favour of development within Paragraph 11d) of the NPPF therefore applies in the consideration of all applications for housing development within the District (unless footnote 7 or Paragraph 14 applies to relevant applications), with Policies 2, 4, 15 and 26 now carrying only moderate weight in decision making.

All other policies within the HDPF as itemised above have been assessed against the NPPF and are considered to be consistent such that they continue to attract significant weight in decision making.

Slinfold Neighbourhood Plan:
Policy 5: Development Principles
Policy 6: Housing Mix
Policy 8: Crosby Farm
Policy 11: Existing Employment Centres
Policy 12: Economy and Enterprise

Planning Advice Notes:
Facilitating Appropriate Development
Biodiversity and Green Infrastructure

REPRESENTATIONS AND CONSULTATIONS RESPONSES
Where consultation responses have been summarised, it should be noted that Officers have had consideration of the full comments received, which are available to view on the public file at www.horsham.gov.uk

Consultations:

Natural England: No Objection
We concur with the conclusion of your authority's HRA appropriate assessment, insofar that we have no objections subject to the delivery, management and maintenance of measures identified in the water neutrality statement, and subject to relevant pre-commencement conditions identified in the appropriate assessment being put in place, to achieve water neutrality.

Southern Water: Comments
03/09/2024 – The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development. No new soakaways should be located within 5 metres of a public or adoptable gravity sewer, rising main or water main.

05/08/2024 – Our initial investigations indicate that there are no public Foul/Wastewater sewers in the area to serve this development. Alternative means of draining Wastewater from this development are required. https://www.gov.uk/government/publications/drainage-and-waste-disposal-approveddocument-h

The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development. No new soakaways should be located within 5 metres of a public or adoptable gravity sewer, rising main or water main.

WSCC Highways: No Objection
01/08/2024 – WSCC in its role as Local Highway Authority (LHA) has been reconsulted by the Local Planning Authority (LPA) for the above application. The LHA previously provided comment on this application, dated 24/07/2024, raising no highway safety concerns.

I note that no new application documents have been submitted since the LHAs initial consultation response. Therefore, no further comment is currently warranted, and the LPA are advised to refer to the LHAs initial consultation response, dated 24/07/2024, for relevant comments.

If new information is submitted that may warrant further comment from a highway safety point of view, please reconsult.

24/07/2024 – This application seeks the conversion of existing office buildings (Use Class E) to two residential units (Use Class C3). The site is located off Lyons Road, a C-classified road subject to a speed restriction of 30 mph in this location. Following an inspection of the submitted application documents, WSCC in its role as Local Highway Authority (LHA) raises no highway safety concerns.

The LHA previously provided consultation advice for this site for application DC/22/2094, raising no highway safety concerns. The Local Planning Authority (LPA) refused the application on grounds unrelated to highways.

The site is served by an existing vehicular access point on Lyons Road, with a private access road linking the application site to the maintained highway. From inspection of WSCC mapping, there are no apparent visibility concerns with the existing point of access on to Lyons Road. In addition, the proposed development is not anticipated to give rise to a material intensification of use of this existing access.

The plans demonstrate four car parking spaces for this development, with two bays being provided for each unit. This would be in accordance with WSCC Parking Standards for a development of this size and location. The site exhibits suitable space for on-site turning to be achievable, allowing cars to exit the site in a forward gear.

No details of cycle parking provision have been provided. Cycling is a viable option within Slinfold Village and the LHA would request that secure cycle parking provision be provided for both of the units in accordance with WSCC Parking Standards.

Slinfold Village offers some local services and amenities within walking distance of the site, such as a store, public house and primary school. Regular bus services from Lyons Road provide links to larger urban areas, such as Guildford and Horsham.

WSCC Rights of Way: No Objection
Thank you for the opportunity to comment on the above numbered planning application. This proposal has been considered by means of a desktop study, using the information and plans submitted with this application, in conjunction with other available WSCC map information. In respect to the above planning application I would provide the following comments.

To clarify, Public Footpath 1440_3 runs through the red line boundary, in an east-west alignment, within the proposed development site [Planning, Design and Access Statement, para 10.3 refers].

It is understood that the application does not impact upon, or propose any alteration, to the Public Right of Way. Therefore, the Public Right of Way team offer no objection to the proposal. If the applicant does now, or in future, propose any alteration to the public rights of way then they must first consult directly with West Sussex County Council, Public Rights of Way team (prow@westsussex.gov.uk).

HDC Economic Development: No Objection
Due to the location of this building, it not being in use for some time (2022) and the commercial marketing already undertaken we would not consider the move to residential to pose a threat to the vitality and viability of the local economy.

HDC Environmental Health: Comment
Commercial or agricultural buildings can be subject to significant contamination risks arising from their used, construction and storage of machinery equipment fuel or other chemicals. Potentially hazardous materials may also be incorporated in made ground, yards and hardstanding.

To ensure the application is properly determined a preliminary risk assessment should be provided to ensure the application is properly determined.

Information with respect to water neutrality has been provided which shows no mitigation is required.

Parish Comments:
No Objection

Representations:

Three (3) letters of representation have been received, two (2) appear to be exact copies from the same address. These comments object to the proposal on the following grounds:

- Privacy, light and noise.
- Overlooking into garden spaces

One (1) letter of representation has been received neither supporting nor objecting on the following grounds:

- The amendment requiring the re-consultation was unclear.
- Supportive of the addition of private homes, would not be supportive of more social housing.

Member Comments:
None received

HUMAN RIGHTS AND EQUALITY:

The application has been considered having regard to Article 1 of the First Protocol of the Human Rights Act 1998, which sets out a person's rights to the peaceful enjoyment of property and Article 8 of the same Act, which sets out their rights in respect to private and family life and for the home. Officers consider that the proposal would not be contrary to the provisions of the above Articles.

The application has also been considered in accordance with Horsham District Council's public sector equality duty, which seeks to prevent unlawful discrimination, to promote equality of opportunity and to foster good relations between people in a diverse community, in accordance with Section 149 of the Equality Act 2010. In this case, the proposal is not anticipated to have any potential impact from an equality perspective.

PLANNING ASSESSMENT

Principle of Development:

Policy 2 of the Horsham District Planning Framework (HDPF) sets out the main growth strategy, focusing development in the main settlements. The application site is situated outside of any of the defined settlements as categorised under Policy 3 of the HDPF, and therefore is considered to be in a countryside location in policy terms.

Policy 6 of the Slinfold Neighbourhood Plan states that housing developments which provide a suitable mix of one, two, three and four bed dwellings will be supported. While the application site is located outside of a defined built-up area, where new development is not usually permitted, it is acknowledged that the proposal seeks to convert an existing building and bring it back into use. Furthermore, it is recognised that the building is located in close proximity to a cluster of residential buildings.

A previously submitted application at the site (DC/19/1330) was refused on the grounds that insufficient evidence to demonstrate the premises is no longer needed, or unviable for continued employment use had been provided.

Policy 10 states that *"Proposals for the conversion of rural buildings to business and commercial uses will be considered favourably over residential in the first instance."*

Strategic Policy 30 of the emerging local plan states that:

"p*roposals for other uses will only be supported where it is demonstrated that both the premises and site are no longer needed and are no longer viable for employment use. An assessment of these should be submitted and must demonstrate:*

a) Evidence of active marketing over the period of at least a year, supported by

- *i. evidence of the condition of the estate and local economic market within the terms of sale and, where applicable, rent; and*
- *ii. ii. written confirmation from the commercial agent(s) regarding the redundancy and lack of viability of both the premises and site for employment or a financial appraisal demonstrating any employment use is unviable; and*

b) Where relevant, vacancy, including the reasons for vacancy and the length of time vacant."

Policy 9 of the HDPF states that the redevelopment of employment sites and premises outside Key Employment Areas must demonstrate that the site/premises is no longer needed and/or viable for employment use.

The applicant has provided evidence showing a viewing and therefore marketing have taken place since the 20/09/2023. Evidence from a commercial agent has also been submitted. It is noted that a full year of information and marketing has not been provided. The policy; however, holds limited weight. In this instance it is considered sufficient evidence has been provided to demonstrate the site is no longer needed or viable from employment use. Furthermore, the Economic Development Officer has confirmed that due to the location of this building, it not being in use for some time (2022) and the commercial marketing already undertaken it is not considered that the move to residential would pose a threat to the vitality and viability of the local economy.

Paragraph 78 of the NPPF states that *"to promote development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby."*

The application site is located in close proximity to the village centre of Slinfold, and lies outside but directly adjoins the built-up area boundary. The site also lies to the north of the allocation at Crosby Farm under Policy 8 of the made Slinfold Parish Neighbourhood Development Plan, which allocates residential development at the site.

The Facilitating Appropriate Development (FAD) document was endorsed at Full Council on 19 October 2022. The FAD recognises that the Council is likely to receive applications outside of defined BUABs and on unallocated sites (such as this proposal) as it is unable to demonstrate a five-year housing land supply. Given this position and the principles behind HDPF Policy 4, it will consider positively applications that meet all of the criteria:

- The site adjoins the existing settlement edge as defined by the BUAB;
- The level of expansion is appropriate to the scale and function of the settlement the proposal relates to;
- The proposal demonstrates that it meets local housing needs or will assist the retention and enhancement of community facilities and services;
- The impact of the development individually or cumulatively does not prejudice comprehensive long-term development; and
- The development is contained within an existing defensible boundary and the landscape character features are maintained and enhanced.

The proposed dwellings would appear commensurate with the residential development of the site to the south, siting in close proximity and relation to this. In addition, the building is considered to sit in close proximity to the village centre of Slinfold, and in close relation to the associated services and facilities. The site is therefore considered to be in a reasonably sustainable location.

The site adjoins a settlement edge, and is directly adjacent to a site allocated for residential development within the made Slinfold Parish Neighbourhood Development Plan. The existing building is considered to be characterful, with the conversion not considered to result in landscape harm. Given the modest nature of the proposal, and its relationship and proximity to the settlement of Slinfold, it is therefore considered that the proposed conversion to residential would enable the sustainable development of the rural area. Accordingly, the proposed conversion of the units to residential use would therefore benefit from the provisions of the FAD as set out above.

Design and Appearance:

Policies 25, 32 and 33 of the HDPF promote development that is of a high quality design, which is sympathetic to the character and distinctiveness of the site and surroundings. The landscape character of the area should be protected, conserved and enhanced, with proposals contributing to a sense of place through appropriate scale, massing and appearance.

Strategic Policy 19: Development Quality of the emerging local plan holds limited weight. The policy aims to achieve High-quality and inclusive design for all development in the District will be required based on a clear understanding of the local, physical, social, economic, environmental and policy context.

Paragraph 127 of the NPPF states that planning decisions should ensure that developments function well and add to the overall quality of the area; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting; establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development; and create places that are safe, inclusive and accessible.

The proposal largely retains the appearance and character of the existing buildings. The changes are minor and would not have any significant impact on the character and appearance of the area. It is therefore considered that the proposal would have a largely neutral impact, retaining the character and vernacular of the building, in accordance with Policies 25, 32, and 33 of the Horsham District Planning Framework (2015). The proposal is also considered to be in accordance with policies 19 of the emerging local plan, although it carries limited weight.

Internal Design and Quality

Policy 40: Improving Housing Standards in the District of the emerging local plan holds limited weight; however, it states that dwellings should meet the nationally described space standards.

Both bedrooms of The Dairy would meet these, with sufficient space being provided for communal activities throughout the rest of the property. The Granary bedrooms would only meet acceptable standards for single rooms. While this is not ideal there is sufficient communal space in the property. Given the limited weight of policy 40 it is not considered suitable to refuse the proposal on these grounds.

Policy 40 of the emerging plan also expects dwellings to meet the M4(2) requirements or provide an equivalent offsite contribution. Given the limited weight of this policy the lack of offsite contribution is not considered a suitable reason to warrant refusal.

Both dwellings have been provided outdoor amenity space. It would be preferable if both of these were green spaces; however, open countryside is easily accessed from the site.

Amenity Impacts:

Policy 33 states that development should consider the scale, massing and orientation between buildings, respecting the amenities and sensitivities of neighbouring properties.

Strategic Policy 20: Development Principles of the emerging local plan holds limited weight. The policy seeks to conserve and enhance the natural and built environment, and deliver beautiful and sustainable buildings and places. The policy expects development to be designed to avoid unacceptable harm to the amenity of existing and future occupiers or users of nearby property and land, for example due to overlooking, over dominance or overshadowing, light pollution, traffic generation, and general activity, noise, odour and/or vibration, and having regard to the sensitivities/impact of surrounding development;

The proposal site is surrounded to the south by residential properties. The change in use to residential would increase opportunities for overlooking, through the intensification of the rooms.

Old Dairy

The single storey nature of The Old Dairy prevent any unacceptable impacts on neighbouring amenity.

The Granary

The large, glazed area on the east elevation for The Granary would provide additional views to the east. The first-floor layout includes a void space in front of this window. This and the transient space of the landing and stairs prevent the overlooking form being unacceptable. To prevent overlooking further the first-floor south elevation windows are obscure glazed.

Properties in the immediate area already experience mutual overlooking from surrounding properties. The rest of the windows, including the rooflights would add to this mutual overlooking; however, it would not cause such additional harm beyond the existing that the proposal warrants refusal.

It is considered that the siting and layout of the proposed dwellings and the resulting relationship with adjoining properties would be sufficient to prevent any unacceptable harm to neighbouring amenity.

Water Neutrality:

The application site falls within the Sussex North Water Supply Zone as defined by Natural England which draws its water supply from groundwater abstraction at Hardham. Natural England has issued a Position Statement for applications within the Sussex North Water Supply Zone which states that it cannot be concluded with the required degree of certainty that new development in this zone would not have an adverse effect on the integrity of the Arun Valley SAC, SPA and Ramsar sites.

Natural England advises that plans and projects affecting sites where an existing adverse effect is known will be required to demonstrate, with sufficient certainty, that they will not contribute further to an existing adverse effect. The received advice note advises that the matter of water neutrality should be addressed in assessments to agree and ensure that water use is offset for all new developments within the Sussex North Water Supply Zone.

The proposed development of the Old Dairy would comprise a water demand of 162.54 l/d and The Granary would have a proposed water demand of 146.94 l/d (309.48l/d). Through water efficiencies and rainwater harvesting the proposed dwellings would have a lower water usage than the existing site, under office use (719.72l/d). The proposal is therefore considered water neutral.

Biodiversity Net Gain (BNG):

Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This requires that development must achieve at least 10% BNG on all habitats within the development site.

The applicant has confirmed in their application form that the proposal would be exempt from providing BNG on the grounds it is de minimis. The Local Planning Authority agree this to be the case.

Highways Impacts:

Policy 41 of the HDPF promote development that provides safe and adequate access, suitable for all users.

The proposed development would utilise the existing access to the south of the site, with an area of parking proposed to the west of the building providing space for 2no. vehicles.

Following consultation with WSCC Highways, the proposal would generate a need for 4no. parking spaces. The site exhibits suitable space for on-site turning to be achievable, allowing cars to exit the site in a forward gear. A condition is recommended securing cycle parking.

It is not considered that the proposal would have an unacceptable impact on highway safety or result in severe cumulative impacts on the operation of the highway network. Therefore, the proposal is considered to accord with Policy 41 of the Horsham District Planning Framework (2015).

Environmental Health

A pre-commencement condition has been recommended to secure a risk assessment for contamination.

Impact on the Public Right of Way:

Policy 40 of the HDPF states that development proposals which promote improved and integrated transport networks will be encourage and supported. Development proposals will be supported if it is appropriate and in scale to the existing transport infrastructure; is integrated with the wider network of routes, including public rights of way and cycle paths; minimises the distance people need to travel and minimises conflict between traffic, cyclists and pedestrians; and provides safe and suitable access for all vehicles, pedestrians, cyclists, horse riders, public transport and the delivery of goods.

Following consultation with WSCC Public Rights of Way, no objection to the proposed development is raised. Informatives have been added to the application to ensure access to the Right of Way remains.

Climate Change:

Strategic Policy 6: climate change of the emerging plan holds limited weight. The policy supports developments only when they include measures that contribute to achieving net zero carbon emissions cross the District by 2050 at the latest. The policy also only supports proposals if f it includes site and building level measures to adapt to the future impacts of climate change and reduce vulnerability, particularly in terms of the comfort, health and wellbeing of current and future occupiers.

Strategic Policy 7: Appropriate Energy Use of the emerging local plan holds limited weight. The policy supports development which contributes to clean, efficient energy in Horsham. It also expects development proposals to demonstrate how they will provide zero and low carbon heating.

Strategic Policy 8: Sustainable Design and Construction of the emerging local plan holds limited weight. The policy supports development where it is demonstrated that sustainable design, including its construction and operation, is integrated into the development from the design stage onwards.

Policies 35, 36 and 37 require that development mitigates to the impacts of climate change through measures including improved energy efficiency, reducing flood risk, reducing water consumption, improving biodiversity and promoting sustainable transport modes. These policies reflect the requirements of Chapter 14 of the NPPF that local plans and decisions seek to reduce the impact of development on climate change.

While the proposal doesn't demonstrate that required by the emerging policies these carry limited weight. As such they are outweighed by the measures secured by condition in line with policies 35, 36 and 37 of the HDPF.

The below conditions are attached to secure:

- Water consumption of 162.54 l/d for the Old Dairy and 146.94 l/d for The Granary.

- Requirement to provide full fibre broadband site connectivity.
- Site landscaping.
- Cycle parking.
- Refuse and recycling storage.

Other Matters

Southern Water raised a request that Building Control comment on the adequacy of soakaways to dispose of surface water from the proposed development. Given there are current methods to drain the site additional information on this has not been requested. These matters will be dealt with at Building Control stage.

Conclusions:

The proposal is considered to comply with relevant local and national planning policies and is therefore recommended for approval.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

Horsham District Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule which took effect on 1st October 2017.

It is considered that this development constitutes CIL liable development.

Use Description	Proposed	Existing	Net Gain
District Wide (Zone 1)	186.89	186.89	0
		Total Gain	**0**
		Total Demolition	**0**

Please note that the above figures will be reviewed by the CIL Team prior to issuing a CIL Liability Notice and may therefore change.

Exemptions and/or reliefs may be applied for up until the commencement of a chargeable development.

In the event that planning permission is granted, a CIL Liability Notice will be issued thereafter. CIL payments are payable on commencement of development.

Recommendation: Application Permitted

Conditions:

2 **Standard Time Condition** The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

3 **Pre-commencement Condition:** No development shall commence until the following components of a scheme to deal with the risks associated with contamination, (including asbestos contamination), of the site be submitted to and approved, in writing, by the local planning authority:
(a) A preliminary risk assessment which has identified:
- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors

- Potentially unacceptable risks arising from contamination at the site.

The following aspects (b) – (d) shall be dependent on the outcome of the above preliminary risk assessment (a) and may not necessarily be required.

(b) An intrusive site investigation scheme, based on (a) to provide information for a detailed risk assessment to the degree and nature of the risk posed by any contamination to all receptors that may be affected, including those off site.

(c) Full details of the remediation measures required and how they are to be undertaken based on the results of the intrusive site investigation (b) and an options appraisal.

(d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action where required.

The scheme shall be implemented as approved. Any changes to these components require the consent of the local planning authority.

Reason: As this matter is fundamental to ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works and to ensure that any pollution is dealt with in accordance with Policies 24 and 33 of the Horsham District Planning Framework (2015).

4 **Pre-commencement (Slab Level) Condition**: No development above ground floor slab level shall commence until full details of the rainwater/greywater harvesting system, including the rainwater harvesting tank appearance and location, required by the approved water neutrality strategy (Technical Note 1: Water Neutrality Statemen received 23/07/2024) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

5 **Pre-Occupation Condition**: No dwelling hereby permitted shall be first occupied until evidence has been submitted to and been approved in writing by the Local Planning Authority that the approved water neutrality strategy for that dwelling has been implemented in full. The evidence shall include the specification of fittings and appliances used, evidence of their installation, and completion of the as built Part G water calculator or equivalent. The installed measures shall be retained as such thereafter.

Reason: To ensure the development is water neutral to avoid an adverse impact on the Arun Valley SACSPA and Ramsar sites in accordance with Policy 31 of the Horsham District Planning Framework (2015), Paragraphs 185 and 186 of the National Planning Policy Framework (2023), its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), and s40 of the NERC Act 2006 (Priority habitats & species).

6 **Pre-Occupation Condition:** No part of the development hereby permitted shall be first occupied until full details of all hard and soft landscaping works shall have been submitted to and approved, in writing, by the Local Planning Authority. The details shall include plans and measures addressing the following:

- Details of all existing trees and planting to be retained
- Details of all proposed trees and planting, including schedules specifying species, planting size, densities and plant numbers and tree pit details
- Details of all hard surfacing materials and finishes
- Details of all boundary treatments

- Details of all external lighting

The approved landscaping scheme shall be fully implemented in accordance with the approved details within the first planting season following the first occupation of any part of the development. Unless otherwise agreed as part of the approved landscaping, no trees or hedges on the site shall be wilfully damaged or uprooted, felled/removed, topped or lopped without the previous written consent of the Local Planning Authority until 5 years after completion of the development. Any proposed or retained planting, which within a period of 5 years, dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure a satisfactory development that is sympathetic to the landscape and townscape character and built form of the surroundings, and in the interests of visual amenity in accordance with Policy 33 of the Horsham District Planning Framework (2015).

7 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details for the provision for the storage of refuse and recycling facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided prior to occupation (or use) of the development hereby permitted and thereafter be retained for use at all times.

Reason: To ensure the adequate provision of recycling facilities in accordance with Policy 33 of the Horsham District Planning Framework (2015).

8 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the car parking spaces (including garages where applicable) necessary to serve it have been constructed and made available for use in accordance with approved drawing number [PL010]. The car parking spaces permitted shall thereafter be retained as such for their designated use.

Reason: To provide car-parking space for the use in accordance with Policy 40 of the Horsham District Planning Framework (2015).

9 **Pre-Occupation Condition:** No part of the development hereby permitted shall occupied until the windows at The Old Granary at first floor on the south elevation on plan PL023 have been fitted with obscured glazing. Once installed the obscured glazing parts of those windows shall be retained permanently thereafter.

Reason: To protect the privacy of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

10 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until details of secure and covered cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling hereby permitted shall be occupied or use hereby permitted commenced until the approved cycle parking facilities associated with that dwelling or use have been fully implemented and made available for use. The provision for cycle parking shall thereafter be retained for use at all times.

Reason: To ensure that there is adequate provision for the parking of cycles in accordance with Policy 40 of the Horsham District Planning Framework (2015).

11 **Pre-Occupation Condition:** No part of the development hereby permitted shall be occupied until the necessary in-building physical infrastructure and external site-wide infrastructure to enable superfast broadband speeds of 30 megabits per second through full fibre broadband connection has been provided to the premises.

Reason: To ensure a sustainable development that meets the needs of future occupiers in accordance with Policy 37 of the Horsham District Planning Framework (2015).

12 **Regulatory Condition:** The materials to be used in the development hereby permitted shall strictly accord with those indicated on the application form and approved plans.

Reason: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity and in accordance with Policy 33 of the Horsham District Planning Framework (2015).

13 **Regulatory Condition**: No works for the implementation of the development hereby approved shall take place outside of 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays, Bank or public Holidays

Reason: To safeguard the amenities of adjacent occupiers in accordance with Policy 33 of the Horsham District Planning Framework (2015).

14 **Regulatory Condition**: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (and/or any Order revoking and/or re-enacting that Order no development falling within Classes A, AA, B and C of Part 1 or Class AD of Part 20 of Schedule 2 of the order shall be erected, constructed or placed within the curtilage of the development hereby permitted without express planning consent from the Local Planning Authority first being obtained.

Reason: In the interest of visual amenity and to protect the amenities of the adjoining neighbours in accordance with Policy 33 of the Horsham District Planning Framework (2015).

NOTE TO APPLICANT

1. The granting of planning permission does not authorise obstruction of, interference to or moving of any Public Right of Way (PROW); this can only be done with the prior consent of West Sussex County Council (WSCC), as highway authority, and possibly also a legal Order process by the relevant local planning authority. Further advice can be provided on request.

2. Safe and convenient public access is to be available at all times across the full width of the PROW, which may be wider than the available and used route – advice on the legal width can be provided by the WSCC PROW Team.

3. The path is not to be obstructed by vehicles, plant, scaffolding or the temporary storage of materials and / or chemicals during any works or during the occupancy of the property. These will constitute an offence of obstruction under the Highways Act 1980.

4. No new structures, such as gates and stiles, are to be installed within the width of the PROW without the prior consent of the WSCC PROW Team. These will constitute an offence of obstruction under the Highways Act 1980.

5. Any down pipes or soakaways associated with the development should discharge into an existing or new drainage system and away from the surface of the PROW. No drainage system is to be installed through the surface of the path without the prior consent of the WSCC PROW Team.

6. Where the ground levels adjacent to the PROW are to be raised above existing ground levels, this could increase the potential to flood the path. A suitable drainage system must be installed adjacent to the path to a specification agreed with the WSCC PROW Team prior to development commencing.

7. Any alteration to or replacement of the existing boundary with the PROW, or the erection of new fence lines, must be done in consultation with the WSCC PROW Team to ensure the legal width of the path is not reduced and there is no unlawful encroachment.

8. Access along a PROW by contractors' vehicles, deliveries or plant is only lawful if the applicant can prove it has a vehicular right; without this an offence under the Road Traffic Act 1988 section 34(1) is being committed.

9. The applicant is advised that a public access right has precedence over a private access right. Where a PROW runs along a route also used for private access purposes, usually for private vehicle access, this shared use has the potential for accident or injury – the applicant must consider how access is managed so the public is not endangered or inconvenienced.

10. Some properties have private rights over them for the benefit of a particular individual or property; for example, a landowner may have the right to drive over a neighbour's track to gain access to property. This right of access is granted to individuals and / or properties only and does not extend to the public. The WSCC PROW Team does not hold records of private rights of access; the applicant is encouraged to check that no private access rights will be detrimentally affected by this proposal.

11. It is an offence to damage the surface of a PROW without the prior consent of the WSCC PROW Team. The applicant must supply a specification and secure the approval of the WSCC PROW Team before works affecting the PROW begin, even if the surface is to be improved. Where a PROW surface is damaged and there was no prior consent, the applicant will be liable and required to make good the surface to a standard satisfactory to the WSCC PROW Team.

12. Where it is necessary to undertake works within the legal width of a PROW, e.g. install utilities, (or for development works immediately adjacent to a PROW that can not reasonably be managed through different Health and Safety practice) the applicant must be advised to apply to WSCC PROW Team for a temporary path closure. The applicant must be advised there is no guarantee an application will be approved; that a minimum of 6 weeks is needed to consider an application.

13. Where it will be necessary to permanently divert or extinguish a path 'to enable development to take place' by means of a Public Path Order (PPO) (most often under Town & Country Planning Act 1990 s257), to be applied for by the developer through the Local Planning Authority prior to development, WSCC PROW Team is not able to grant a temporary path closure as a precursor to a PPO. In such circumstance, WSCC PROW Team will only consider an application for a temporary path closure once the Local Planning Authority has made and confirmed a PPO.

14. Consented development is often subject to various environmental requirements, which can impact on the availability of PROW. For example, Great Crested Newt fencing has often been known to be laid across a PROW, which is either subject to installation of unauthorised stiles or gates, or unlawfully diverted around the site edge. The applicant must be advised that any environmental licence, such as from Natural England, does not negate the need to provide the legal line of a PROW without additional structures.

15. If the development proposes shared use of a PROW with vehicles (and / or introduces a vehicle crossing point of a PROW), which may increase the risk of accident or injury to a PROW user, then the applicant is encouraged to introduce signage to advise vehicle drivers of the hazard and to act responsibly.

POSITIVE AND PROACTIVE STATEMENT

Statement pursuant to Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, in order to be able to, where possible, grant permission.

Plans list for: DC/24/0796
Schedule of plans/documents **approved**:

Plan Type	Description	Drawing Number	Received Date
Location plan		PL.01	23.05.2024
Site plan	Proposed	PL.010	23.05.2024
Floor plan	The Granary Proposed floors and Section	PL022 A	25.07.2024
Elevation plan	The Granary Proposed	PL023	25.07.2024
Floor plan	The Dairy Proposed Ground	PL026	23.05.2024
Elevation plan	The Dairy Proposed	PL027	23.05.2024
Supporting Statement	Water Neutrality Statement	PL027	23.07.2024

DELEGATED

Case Officer sign/initial Alice Johnson Date: 05/09/2024

Authorising Officer sign/initial RHERMITAGE Date: 10.09.2024